

Remarks

Claims 1-17 and 19 were pending in the application. Claims 1-5, 10-12, 14-16 and 19 have been cancelled without prejudice or disclaimer. Claims 6, 7, 9, 13 and 18 have been amended. Claims 20-22 have been added. No new matter has been introduced. Thus, claims 6-9, 13, 18 and 20-22 are pending for reconsideration at this time.

Applicant thanks the Examiner for acknowledging receipt of the priority documents in the pending application.

Applicant also thanks the Examiner for reviewing the references cited by Applicant.

Allowable Subject Matter

Applicant acknowledges with appreciation the allowance of claims 15, 16 and 18, and the indication of allowable subject matter in claims 6-9. Claims 6 and 7 have been rewritten in independent form. Claim 8 is dependent upon claim 7. Claim 9 has been amended to depend from allowable claim 6. Allowance of claims 6-9 in addition to claims 15, 16 and 18 is solicited.

Claim Objections

The numbering of the claims is objected to as not being in accordance with 37 CFR 1.126 which requires the original numbering of the claims to be preserved throughout the prosecution. As correctly noted by the Office Action, claim 17 was inadvertently missing in the as-filed application. As such, the claim numbering proceeded as claims 1-16, 18 and 19.

The Office Action asserts that misnumbered claim 18 should be renumbered as 17. Presumably, the Office Action further infers that misnumbered claim 19 should be renumbered as claim 18 as well. However, this is inconsistent with the requirement that the original number of the claims must be preserved throughout the prosecution, despite the original misnumbering. As such, Applicant hereby cancels claim 17 which was never presented in the application, and preserves the original numbering of claim 18 and claim 19 as claims 18 and 19 respectively. Withdrawal of the objection to the claim numbering is solicited.

Rejections 35 U.S.C. § 112, ¶2

Claims 5-9 and 13 stand rejected under 35 U.S.C. § 112, ¶2 as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. Specifically, in claim 5 it is allegedly not clear if "a lower byte region of a data I/O buffer" on line 4 is the same as that on lines 2-3.

Claim 5 has been cancelled without prejudice or disclaimer. Claims 6, 7 and 13 have been rewritten to be in independent form. Claim 9 has been amended to depend from claim 6. As amended, claims 6, 7, 9 and 13 have been corrected to address the noted rejection.

Withdrawal of the rejection under 35 U.S.C. § 112, ¶2 is solicited.

Rejections 35 U.S.C. § 103(a)

Claim 5 stands rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 5,373,467 ("Wang" hereafter) in view of U.S. Patent No. 5,134,584 ("Boler" hereafter). Claim 13 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Wang in view of Boler, further in view of U.S. Patent No. 6,775,172 ("Kang" hereafter). Claim 5 has been cancelled without prejudice or disclaimer. The rejection of claim 13 is traversed for at least the following reasons.

Kang is not available as prior art for rejections under 35 U.S.C. §103(a). Specifically, Kang issued on August 10, 2004, which is after the pending application's July 30, 2003 filing date. As such Kang qualifies as prior art under 35 U.S.C. §102(e). Applicant notes that both Kang and the present application were commonly owned by Hynix Semiconductor at the time the invention of the pending application was made. Under 35 U.S.C. §103(c), references that qualify as prior art under 35 U.S.C. §102(e) and are commonly assigned as of the filing date of the pending application cannot be used as prior art for 35 U.S.C. §103(a) rejections. See MPEP §2146 (35 U.S.C. 103(c)). As such, the rejection over Kang should be withdrawn for at least this reason.

Withdrawal of the rejections of claims 5 and 13 under 35 U.S.C. §103(a) is solicited.

CONCLUSION

In view of the above amendment and remarks, Applicant respectfully requests that all objections and rejections be withdrawn and that a notice of allowance be forthcoming. The Examiner is invited to contact the undersigned representative for Applicant for any reason related to the advancement of this case.

Date: _____

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